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NASA Procedural Requirements

COMPLIANCE IS MANDATORY**NPR 8590.1**Effective Date: June 14,
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 (NASA Only)

Subject: NASA Environmental Compliance and Restoration (ECR) Program

Responsible Office: Environmental Management Division[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [Chapter5](#) | [Chapter6](#) | [Chapter7](#) |
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Chapter 2. Identification and Documentation of New Restoration Projects

2.1 Purpose

To identify and document new restoration projects for ECR program funding.

2.2 Requirements

a. Center/Component Facility Environmental Management Offices (CEMO) shall establish a process for applying due care in identifying and assessing sites with known or suspected contamination on their property. This process shall include proactive and/or reactive activities that are supportive of Center and regulatory requirements. Some of these activities include: on-site investigations, file reviews, and research into historical operations that can confirm the nature and extent of environmental contamination. The process shall include the maintenance of appropriate documentation and any required reporting to regulatory officials.

b. CEMOs shall evaluate identified sites to determine whether they will require future study and/or restoration activity. These projects shall be categorized as "Probable," "Reasonably Possible," or "Remote" based on the likelihood of future financial obligations.

c. NASA will recognize a new restoration project if the CEMO determines it is probable that the release (or threatened release) of a hazardous substance could be an endangerment to human health or the environment. That determination may involve interaction with regulatory officials during studies, assessments, investigations, or other stages in the restoration process. In addition, the CEMO shall determine if the project is reasonably estimable, meaning that the future costs of study and/or restoration can be estimated at this time. Generally, that criteria is determined by three factors:

(1) Completion of a Remedial Investigation/Feasibility Study (RI/FS), or equivalent.

(2) Experience with similar site and/or conditions.

(3) Availability of restoration technology. If the CEMO determines that these criteria have been met, it shall open a project for the site in NETS.

d. For new sites that will probably require future study and/or restoration activities (categorized as "Probable"), the CEMO shall develop an estimate of those costs in accordance with Chapter 4, using the IDEAL Cost Estimating System software.

e. Sites for which the chance of future restoration activities being required is more than remote, but less than probable (categorized as "Reasonably Possible"), shall be reported annually to NASA Headquarters for disclosure as contingent liabilities. For each "Reasonably Possible" site, the CEMO shall report, at a time and in a format as specified by the HQ EMD, the nature of the contingency, provide an estimate (or range of estimates) of the possible

liability, or provide a statement that such an estimate cannot be made. Estimates shall be prepared using the IDEAL Cost Estimating System software program (see Chapter 4) or manual cost estimating methods.

f. Center's legal and real property staff shall be involved as soon as it is determined that a right-of-entry onto adjacent land is necessary to determine the extent of contamination.

g. CEMOs shall complete a PRP analysis, in accordance with the requirements of Chapter 3, on new sites that meet the criteria outlined in that chapter.

2.3 Roles and Responsibilities

2.3.1 NASA Headquarters Environmental Management Division The Headquarters EMD serves as the governing authority and is responsible for:

- a. Approving new ECR projects.
- b. Prioritizing ECR funding across all NASA Centers/Component Facilities.
- c. Reviewing and approving negotiated compliance agreements for ECR projects and any negotiated changes to those compliance agreements.
- d. Referring negotiated compliance agreements to appropriate Headquarters offices for concurrence.

2.3.2 NASA Center/Component Facility Environmental Management Office

The CEMO is responsible for:

- a. Establishing a process to respond to and investigate reports of releases and contamination on NASA property or for which NASA may be responsible.
- b. Determining the following: (1) the probability of the necessity for study and/or restoration, including the need to access properties not owned by NASA, to determine the extent of the contamination.
(2) whether the associated restoration costs can be estimated.
- c. Consulting with the Center Chief Counsel's Office and Real Property staff in carrying out the CEMO's responsibilities under this NPR. This includes involving the Chief Counsel's Office as soon as it is determined that a right-of-entry onto adjacent land is necessary to determine the extent of contamination.
- d. Determining, and coordinating with regulatory agencies, as required, the cleanup standards for the site. Cleanup discussions are often based on land use, public comments, or other local site-specific factors.
- e. Referring negotiated compliance agreements for site restoration and any changes to those agreements, requiring ECR funds that will exceed the Center's total budget guideline by \$250,000 or more, to the Headquarters EMD for concurrence.
- f. Conducting PRP analysis (see Chapter 3 below).
- g. Estimating the costs of new ECR projects using the IDEAL Cost Estimating System software program (see Chapter 4), documenting the basis for the cost estimate, and ensuring that corresponding cost data are entered into NETS.
- h. Entering new ECR projects into NETS (see Chapter 5) including total project cost estimate and any other required information.
- i. Coordinating with the Center/Component Facility Safety and Mission Assurance Office, as needed, to ensure a safe and healthful workplace.
- j. Coordinating with the Chief Health and Medical Officer's staff, as needed, on projects with potential impacts to the health of employees.
- k. Coordinating with Center/Component Facility Office, as needed, to mitigate impacts on ongoing or planned construction projects.
- l. Coordinating with Center/Component Public Affairs Office, as needed, to address any local community concerns.
- m. Coordinating through the HQ Office of Legislative and Intergovernmental Affairs and the Headquarters EMD for any contact with members of Congress.

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